

*[No Minutes Were Generated on Thursday and Friday,  
November 23 and November 24, Respectively,  
Due to the Observance of the Thanksgiving Holidays.]*

2064

**SUPREME COURT MINUTES  
MONDAY, NOVEMBER 27, 2000  
SAN FRANCISCO, CALIFORNIA**

S080610 Gerawan Farming, Inc., Plaintiff and Appellant,  
v.  
William J. Lyons, Jr., as Secretary, etc. et al.,  
Defendants and Respondents.

We conclude that we must vacate the judgment of the Court of Appeal, and remand the cause to that court for further proceedings not inconsistent with this opinion.

Mosk, J.

We Concur:  
Kennard, J.  
Werdegar, J.  
Brown, J.

Dissenting Opinion by George, C.J.

We Concur:  
Chin, J.  
Hanlon, J.\*

\*Honorable Daniel M. Hanlon, Presiding Justice, Court of Appeal, First Appellate District, Division Four, assigned by the Chief Justice pursuant to article VI, section 6, of the California Constitution.

2nd Dist. People, Plaintiff and Respondent  
B137015 v.

Malcolm Mosby, Defendant and Appellant

The time for granting review on the court's own motion is hereby extended to and including January 2, 2001. (Cal. Rules of Court, rule 28(a)(1).)

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

- A091305/S093083    Jerry Brown v. Fair Political Practices Commission – February 10, 2001.
- B121917/S092092    Lionel Simon v. San Paolo U.S. Holding Company Incorporated – January 4, 2001.
- B128058/S091945    Victor Cruz v. Homebase – January 1, 2001.
- B135086/S091951    Barbara Kerrigan et al. v. Thrifty Drug – January 1, 2001.
- B140487/S092115    Donald L. Henry v. EMC Mortgage – January 8, 2001.
- B144525/S092120    Tierney D. Harris v. Los Angeles County Superior Court; Quinal Johnson, Jr., RPI – January 8, 2001.
- D031872/S092112    Huguette Pelletier v. Agouron Pharmaceuticals, Inc. – January 9, 2001.
- D036357/S091952    Monaco Coach Corporation v. San Diego County Superior Court; James E. Hurley, RPI – January 1, 2001.

4th Dist.      Transfer Orders

The following cases, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Three to Division One:

- G023444    Louis Cruces v. CNA
- G023386    Ikon Electronic Forms v. John Veenstra
- G022495    Steven White v. State of California
- G021871    Kenneth Chavez v. Food for Less Supermarkets
- G022515    Colleen Kane v. National Ski Patrol
- G023584    Martin Morris v. The Paul Revere Life Insurance Company
- S024840    Angela Orr v. The Vons Companies
- G023604    Adam Elisalda v. Univision Network Limited
- G023894    G & G Fire Sprinklers v. City of Santa Ana

G024119 Roger Mullikan v. JR Enterprises  
G023628 Susan Jackson v. BKM Total Office  
G023676 Donald Frank v. The Home Depot

4th Dist. Transfer Orders

The following cases, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Three to Division One:

G022856 Christina Dao v. Doug Shipway  
G024501 Richard Hjelte v. Eltrax Systems, Inc.  
G024529 Richard Mannila v. Shoreline Village Associates  
G022989 Harinder Grewal v. Tod J. Brown  
G023569 Alfred Hills v. RIT Auto Leasing Group  
G023511 In re the Marriage of Gary and Karen Whitfield  
G023428 Summit Financial Holdings v. Continental Lawyers Title Co.  
G022673 Joel Lynn Kelley v. Farmers Insurance Co.  
G022759 In re the Marriage of Phyllis and Larry Rothman  
G023478 Foreclosure Consultants v. Arizona Public Service Company  
G023873 Cecelia Gronotte v. Robert Everakes  
G024335 Ronald C. Trice v. Orange County Sheriff-Coroner Dept.

4th Dist. Transfer Orders

The following cases, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Three to Division One:

G022604 Household Commercial of California v. 2021 Business Center Drive Investment  
G022397 Jeff Sarkozi v. Brian Andrews  
G022527 In re the Marriage of Richard and Katherine Barber  
G023247 Davinder Singh v. Ralph E. Graham  
G022401 Ray Squyres v. Gateway Title Company  
G024073 Maryann C. O'Brien v. Pacific Bell  
G022922 Charbel J. Cury v. Isuzu Motors America, Inc.  
G024157 In re the Marriage of Dennis and Sharon Constant  
G023056 Dawn E. Lowe v. Specialty Restaurants  
G023260 Susan Slivkoff v. Nicholas Thanos  
G024596 Republic Leasing Company v. Dimension Funding, Inc.

## 4th Dist.      Transfer Orders

The following cases, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Three to Division One:

|         |   |
|---------|---|
| G023856 | George Minka v. Sharp Mission Park Medical Group    |
| G024782 | Parkgate Center v. Monica Mraz                      |
| G022666 | Casie McCann v. MTM Corporation                     |
| G023420 | In re the Marriage of Felix and Loretta Martin      |
| G022417 | Sara Kardashian v. Manorama Sharma                  |
| G022223 | Bruce Blaine v. Katten, Muchin, Zavis & Weitzman    |
| G023812 | James Briglio v. Board of Dental Examiners          |
| G022795 | Andrew Ippolito v. Ventana                          |
| G024294 | Howard Gensler v. Western National Funding          |
| G023396 | Tierrasanta, Inc. v. City of Huntington Beach       |
| G024029 | Jack Pauley v. CPT Group, Inc.                      |
| G021000 | Deborah Palosaari v. Michael Sukoff                 |
| G023309 | James Taylor v. Trustees of the Ca State University |
| G023249 | In re the Marriage of Carol and Reginald Nelson     |
| G023361 | Rick Miller v. Douglas Applegate                    |

## 4th Dist.      Transfer Orders

The following cases, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Three to Division Two:

|         |                                   |
|---------|-----------------------------------|
| G026099 | People v. Luis Enrique Camacho    |
| G026128 | People v. Drake Eric Dalton       |
| G025803 | People v. Darin Jackson           |
| G026575 | People v. Nicholas Ramirez        |
| G025784 | People v. Joseph Herrera          |
| G026757 | People v. Timmy Kyong Bang et al. |
| G025657 | People v. Juan Grimaldo-Preciado  |
| G026585 | People v. Daniel Gonzales         |
| G026166 | People v. Michael Nelson          |
| G026534 | People v. Michael Patrick Fischer |
| G025994 | People v. Shadi N. Fararji        |
| G026771 | People v. Gilberto Reyes          |
| G025334 | People v. Elliot Grover Williams  |
| G026067 | People v. Gregory Walter Pollard  |
| G026089 | People v. Filiberto Davila        |

## 4th Dist.      Transfer Orders

The following cases, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Three to Division Two:

|         |  |
|---------|--|
| G025011 | People v. Norman Morrow                |
| G025722 | People v. Jason Frank Garone           |
| G026279 | People v. James Lee Crummel            |
| G025477 | People v. Enedino Alvarado Hernandez   |
| G026337 | People v. Victor Valerio               |
| G026079 | People v. Anthony David Rivas          |
| G025145 | People v. Charles Jensen               |
| G025194 | People v. German Engler Torres         |
| G024744 | People v. Kent Xavier Anguiano         |
| G026004 | People v. Robert David Work            |
| G025703 | People v. Ricardo Anthony Perez        |
| G025920 | People v. Truong Van Tran              |
| G026176 | People v. Augustine Robert Mapapalangi |
| G025481 | People v. Aaron Kim                    |
| G026290 | People v. William Dale Lupear          |

Bar                      In the Matter of the Application of the Committee of Bar Examiners  
Misc.                      of the State of California for Admission of Attorneys

4186                      The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S091697      In re **Glenn Alan Besnyl** on Discipline

It is ordered that **Glenn Alan Besnyl, State Bar No. 165587**, be suspended from the practice of law for one year and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 60 days. Credit towards the period of

actual suspension shall be given for the period of interim suspension which commenced on April 4, 2000. (*In re Young* (1989) 49 Cal.3d 257, 270.) He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on July 21, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2001, 2002 and 2003. (Bus. & Prof. Code section 6086.10.)

S091683      In re **Jacqueline A. Kuder** on Discipline

It is ordered that **Jacqueline A. Kuder, State Bar No. 170645**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that she be placed on probation for three years on condition that she be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed August 2, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2002, 2003 and 2004.